REMARKS

Applicants respectfully request reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks. No additional fee is required for this Amendment as the number of independent claims has not changed, and the total number of claims has not changed.

Telephone Interview Summary

Applicants called the Examiner on 09 November 2005 to ask for clarification on the Examiner's position that EP 0748894 discloses using natural fibers. The Examiner further reviewed EP 0748894 and called the undersigned on 21 November 2005 to indicate that the listing of viscose fibers on page 3, line 33, was the alleged natural fiber.

Applicants believe this Patent Application is in condition for allowance. If the Examiner deems any further change is needed to finalize this Patent Application for allowance, Applicants request the Examiner contact the undersigned by telephone to discuss. **No further search or consideration is needed by the Examiner, as the recitation of natural fibers was already considered in the subject matter of Claim 1.** Alternatively, this Amendment should be entered as it narrows and/or clarifies issues for appeal.

Amendment to the Claims

Applicants amended Claims 41 and 73 to recite a containment tissue with a natural fiber matrix. Support for this Amendment can be found at, for example, page 19, second full paragraph, of Applicants' Specification. Claim 73 has been further amended to recite a hydrophobic treated region. Support for this Amendment can be found in, for example, Claim 1. Claims 86 and 87 have been amended to provide proper antecedent basis for claim limitations. No new matter has been added to the claims by this Amendment.

Election/Restrictions

Applicants have not canceled Claims 73-89 and 100 as requested in the Office Action. Instead Applicants amended independent Claim 73 to recite a natural fiber containment tissue matrix. Claims 73-89 and 100 should be rejoined, as Claim 1 is in condition for allowance for the reasons stated below, and Claim 1 is generic to Claims 73-89 and 100. Claim 1 recites "a containment sheet at least partially disposed between at least one of the body-side liner and the absorbent core and the absorbent core and the outer cover." Claim 73 recites a containment tissue that is both adjacent to the body-side liner and wrapped around the absorbent core. The containment sheet of Claim 73 is disposed between the body-side liner and the absorbent core, as in Claim 1.

Claim Rejections - 35 U.S.C. §103

The rejection of Claims 1, 3-5, 7-42, 44-46, 48-72, 90, and 91 under 35 U.S.C. §103(a) as being unpatentable over EP 0 748 894 is respectfully traversed.

Applicants' invention is an absorbent article having an improved containment tissue. As discussed in Applicants' Specification, containment sheets or

tissues are principally known for providing a barrier to keep, for example, superabsorbent polymers from migrating through a nonwoven body-side liner into contact with the absorbent article user. The containment tissue of Applicants' claimed invention is made of natural fibers. The natural fiber tissue has treated regions that impart hydrophobicity to those regions.

EP '894 discloses a method to treat nonwoven webs formed of synthetic or manmade fibers to impart hydrophilic and hydrophobic stripes. The webs are used for fluid transfer, and are treated to provide directional fluid control (Abstract). The hydrophilic stripes transport fluid in the elongated direction while the hydrophobic stripes prevent fluid transport in the cross direction (Abstract). EP '894 discloses examples of nonwoven materials at page 3, lines 32-34, but does not disclose using a natural fiber (this is expected as natural fiber tissues are not commonly used for fluid distribution layers). The Examiner clarified that she considered the listed viscose fibers to read on Applicants' recited natural fibers.

Viscose (i.e., rayon) fibers are not natural fibers. Viscose fibers are manmade, regenerated cellulose fibers. Viscose fibers are made from cellulose, but the cellulose is broken down, dissolved, chemically treated, and wet spun through a spinerette into manufactured viscose fibers. Those skilled in the art would not have recognized viscose fibers as natural fibers[1]. One skilled in the art reading EP '894 would not have found any disclosure or suggestion to form the disclosed sheet from anything other than synthetic or manmade (not natural) fibers. As Applicants' claimed invention requires a natural fiber sheet or matrix, Applicants' claimed invention is not obvious in view of EP '894.

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1. The Federal Trade Commission defines viscose or rayon fibers as manufactured fibers formed of regenerated cellulose (FTC Rules and Regulations under the Textile Fiber Products Identification Act §303.7(d)).

Furthermore, one skilled in the art would have found no suggestion or motivation for applying the method disclosed in EP '894 to a natural fiber containment sheet. Applicants' recited natural fiber tissue layer is a containment, or barrier, layer which is not generally known for use as a fluid distribution layer such as disclosed in EP '894. Synthetic polymer or other manmade nonwoven web materials, such as those disclosed in EP '894 at page 3, line 32-34, are typically used for forming such nonwoven transport, distribution, or "surge" layers.

As EP '894 discloses the invented method is for application to fluid distribution layers, one skilled in the art would not have had any suggestion or motivation to apply the method to Applicants' recited natural fiber containment tissue.

For at least the above reasons, Applicants' invention of Claims 1, 3-5, 7-42, 44-46, 48-72, 90, and 91 would not have been obvious in view of EP '894. Reconsideration and withdrawal of this rejection are respectfully requested.

Conclusion

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not resolved in this response, Applicants' undersigned attorney requests an additional telephone interview with the Examiner.

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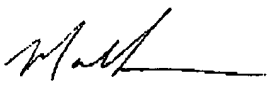
Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



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